

EXPOSITION NO PLACE FOR CAMP

Official Reports of Col.
Dempsey and Stern
Criticize Sharply.

HOWITZERS AND BLUES GET RAPS

Officers Report That These
Commands Left Their Camps
In "Dirty" Condition.
The March of the
Howitzers High-
ly Praised.

As an aftermath of the encampment of the Virginia troops at Camp John Smith, Jamestown, come the official reports made by Colonel Dempsey, United States Army, on duty with the Virginia troops, and Lieutenant-Colonel Jo Lane Stern, Assistant Adjutant-General of the State, to the Adjutant-General for the information of the Governor of Virginia.

These reports are interesting, not only on account of the facts which are set out, but also by reason of certain unfavorable criticisms of the various commands and praise of others, while both reports show clearly the utter lack of preparation made by the exposition company for the Virginia militia.

Both Colonel Dempsey and Lieutenant-Colonel Stern commend highly the Richmond Howitzers on account of the march from Richmond to Camp John Smith in record time; this battery having marched 128 miles over rough and wet country roads in less than five days.

Dirty Camps.
Colonel Stern takes occasion to compliment the Richmond Blues on their proficiency in drill, but Colonel Dempsey especially mentions the Blues Battalion and the Howitzers as having left their camps in a dirty condition. Colonel Stern is outspoken in their criticism of the camp prepared by the exhibition, and describe it as "a veritable mud hole," as "incomplete," "without lights," and in an "unsanitary condition."

The lack of facilities for the removal of garbage and the unfinished condition of the latrines and baths are also commented upon.

Colonel Stern points out the delay in the movement of trains, for which the transportation company was responsible, and the improper loading of horses on the trains, which, he says, demoralizes the men and causes the failure to secure the instruction and drill for which the encampment is held.

For Regimental Camps.
He recommends that in future regimental camps, that the instruction should be held, so that the brigade instruction may be imparted, but he adds that the brigade commander and his staff should be present at these regimental encampments.

A fact which he deems worthy of mention is that, despite the unfavorable conditions which existed in camp, the men were cheerful and willing to work without complaint.

Colonel Dempsey, in his report, is frank in recording many defects noticed during the encampment. He asserts that many of the enlisted men are "half-grown boys," who would be rejected for physical reasons were the troops called out by the United States government; that neither officers nor men were strict in carrying out the requirements of the drill regulations and guard manual; that sentinels were "incompetent" and not properly instructed, and that sentinels did not salute nor did they pay proper respect to the officers of the command.

Officers at Fault.
Colonel Dempsey makes it plain that the officers are responsible for this disregard of discipline.

Regarding the polling of camp, Colonel Dempsey praises the Seventy-first Regiment, commanded by Colonel Nottingham, but says the camp of the Seventy-second Regiment was very "dirty" when General Vaughan and himself visited it.

He recommends that an annual meeting be held of the officers of the brigade for the purpose of instruction, stating that this plan has resulted to the benefit of the militia in other States.

ZEAL OF COOTER.

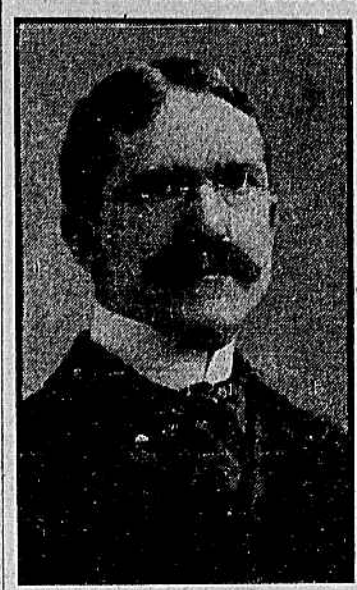
The efficiency and zeal of Lieutenant Harry N. Cooter, of the regular army, who had charge of the camp, is commended. In justification of Lieutenant Cooter it should be stated that it was not his fault that the camp was in such bad condition, for the blame lies at the door of the exposition. Director-General Barr, in discussing this matter last week, said frankly that at the time the Virginia troops were in camp the exposition had no money, and could not fit out the camp according to agreement. It is known that General Vaughan, commanding the brigade, forced the exposition to comply in part with its agreement only by threatening to break camp after two days' occupancy.

Colonel Dempsey's Report.

Colonel Dempsey's report in part reads as follows:
Battery A, First Artillery, started to march from Richmond to the exposition grounds on the morning of the 7th inst., and, very much to my surprise, and that of many others, reached camp on the morning of the 12th inst. The incessant rains made the roads almost impassable, and this, together with the heavy loads, and the fact that the men were not properly equipped, made the march of this organization a notable one, and is an evidence of the intense earnestness and determination of this organization. They are entitled to full praise for their successful march on

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JURIST WHO PRESIDES OVER FIRST JUDICIAL CIRCUIT



JUDGE W. N. PORTLOCK.

BARR'S CHARGES AGAINST OFFICERS

Director of Exposition Says
Pine Beach Officers Not
Helping Preserve Order.

CONFERENCE AT NOON TO-DAY

Governor is Invited to Meet
Judge Portlock and Mr. Barr
to Discuss Situation.

[Special to The Times-Dispatch.]
JAMESTOWN EXPOSITION GROUNDS, VA., July 26.—Director-General James M. Barr, of the Jamestown Exposition, in his letter to Judge William N. Portlock, of the Norfolk County Circuit Court, which led to the arrangement for the conference between Governor Swanson, the judge, Mr. Barr and Captain Carpenter, commandant of the Powhatan Guard, on the reign unlawful at Pine Beach, makes the direct charge that the peace officers of Norfolk county are not making any effort to enforce law and order at Pine Beach.

In making this charge, Mr. Barr involves some of Alvin H. Martin's closest political friends in the Pine Beach scandal. Sheriff Coleman, charged with preserving order at Pine Beach, and others interested in business enterprises at Pine Beach, are launch members of the Martin following.

Mr. Martin, so far as the people have been advised, is the only one still occupies the meaningless and hollow title of governor of transportation of the Jamestown Exposition. What he is doing, or ever has done, on his job is not evident, although he worked some side issues pretty successfully.

Barr's Letter to Judge.

The correspondence between Mr. Barr and Judge Portlock follows:
Exposition Station, Norfolk, Va.,
July 20, 1907.

Judge William N. Portlock, Norfolk, Va.

Dear Sir:—Understanding that you are charged with the preservation of order at Pine Beach, I beg to enclose herewith a copy of a letter of Milton R. Noek, of Newport News, Va., which explains itself.

The Jamestown Exposition Company has not the funds available with which to enforce the law and order at Pine Beach, and in an attempt to do so it has been without the support of local peace officers.

Yours very truly,
JAMES M. BARR,
Director-General.

Judge Portlock's Reply.

Norfolk, Va., July 24, 1907.

Hon. J. M. Barr, Director-General, Jamestown Exposition, Exposition Station, Norfolk, Va.

Dear Sir:—Your favor of the 20th inst., with inclosures, received only this morning. I beg to say that you seem to share in the general misapprehension.

PROPRIETORS CANNOT AGREE

Question of Hours for Early Closing Perplexing—Em- ployes Still Hopeful.

The early closing movement has suffered a setback, owing to the fact that the proprietors find it hard to agree upon hours for closing. A number of conferences have been held and no agreement has yet been reached. The indications are that none will be reached shortly, and in the meantime the summer will wear away and the fall will be here. The employes are a little discouraged, but they are still hopeful. An agreement circulated among the clubbers was signed as indicated below, but to make it binding it still lacks a half a dozen more signatures.

Richmond, Va., July 25, 1907.

We, the undersigned clothing and furnishing merchants of Richmond, Va., agree to close our respective places of business on Saturday at the hour of 10 P. M. for a period of twelve months, beginning July 27, 1907, with the exception of the month of December.

(Signed)
James L. Levy, Julian W. Tyler, The Globe Clothing Co., Wright & Woodall, Kirk-Parrish Co., W. T. Kirk, secretary-treasurer, R. Lovenstein & Sons, Norman P. Short Co., Taylor & Brown, Gans-Rady Company, O. H. Barry & Co., Burk & Co., M. H. Garnett (P. M.), Theo. Nelson, K. Fisher & Son, Cor. Ludwigs, Richmond Hat Co., Hub Clothing Co.

POLICE UNABLE TO COPE WITH CRIME

Women and Children of
New York Terrorized
by Degenerates.

MORE SHOCKING OUTRAGES DAILY

Young Woman, Victim of Brutal Assaults, Driven to Suicidal Attempt—Father a Victim—Pounds the Brute to Unconsciousness.

NEW YORK, July 26.—To the series of unpunished crimes against young girls, which daily of late has exasperated the police and put parents in the outlying districts in an ugly mood, were added to-day for investigation the cases of Virginia Barish, seventeen years old, and Annie Falkoweko, a tot of five years.

So notorious have become the cases of assault, amounting in two recent instances to murder, that Police Commissioner Bingham has been driven to explain that his army of policemen is insufficient to cope with this particular species of degeneracy. He has warned fathers and mothers not to allow their little ones to wander aimlessly in the streets.

The Barish girl has been driven insane by inhuman treatment, an inkling of which was first given to the public to-day. She became separated from a party of friends at North Beach on Wednesday, and that night was rescued by chance from the surf in which she was about to drown herself. She had been beaten black and blue and robbed of her clothing. Driven mad through suffering, she fought her rescuer and only with difficulty was placed in restraint. When her mental condition became apparent the girl was taken to the Kings County Hospital. There, in a lucid interval, she told a pitiful story of assault, many of the details of which were subsequently substantiated. Attacked by a gang of nine ruffians, she was left in a state that to her frenzied mind suggested only suicide. It is a question whether she can recover.

The Annie Falkoweko of Staten Island, went to meet her father and fell in with another man. She suffered a brutal attack, and is under the care of a physician. Joseph Nowlak, a steamship fireman, thirty-four years old, whom the child accused, is under arrest.

A third case to-day cannot be said to be wholly unpunished. When Denzil Oshea, of Harlem, heard the screams of his infant daughter, he did not stop to notify the police, but promptly beat Jacob Neuman, aged twenty-two years, into unconsciousness. When he came to consciousness Neuman was seized with a fit, and was removed to Bellevue Hospital critically ill.

The police records show that during the past thirty days seventeen specific cases of assault upon girls and women have been reported in this city.

HEAT CAUSES PROSTRATIONS

John Eleneck and Lucile Stokes
Are Both Over-
come.

The heat of the past few days yesterday knew no cessation, and the thermometer went up to ninety-five degrees, the lowest registration being seventy-four degrees. Though only prostrations were reported, the intense heat caused considerable suffering among people and animals.

Showers in the late afternoon came as a much-needed relief. They cooled the atmosphere several degrees, and the heat was noticeably less. The rain also laid the dust, which had become very bad during the recent dry weather.

John Eleneck, of No. 1817 East Main Street, was prostrated by the heat, and had to be taken home.

Lucile Stokes, colored, while at work in a tobacco factory, dropped from exhaustion and the heat, and she, too, had to be taken home. Dr. Strode, of the City Ambulance Corps, attended both cases.

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RAILWAYS WIN IN BOTH CASES

Interstate Commerce Commission Dismisses Two Charges of Discrimination.

WASHINGTON, D. C., July 25.—Decisions in two cases brought by the Commercial and Industrial Association of Union Springs, Ala., against the Louisville and Nashville Railroad, and against the Central of Georgia Railway, were announced to-day by the Interstate Commerce Commission. The complaints being rendered by Commissioner Clements.

The first complaint involved the reasonable rates of rates from St. Louis, Nashville and Memphis to Union Springs, compared with the rates from the same points to Columbus, Ga., and other points in the South. The commission holds that the rates are neither unduly discriminatory nor unreasonably high, and therefore order the complaint to be dismissed without prejudice.

The case against the Central of Georgia Railway involved alleged discrimination against Union Springs in the practice of compressing cotton in transit. It was alleged that the defendant was interested in compresses at other points, and favored them as against Union Springs. The record did not sustain the allegations. The complaint, therefore, was dismissed without prejudice.

BORAH ELOQUENT FOR PROSECUTION

Idaho Senator Thrills His
Audience in Closing
Haywood Case.

PRISONER'S FATE WITH JURY NOW

Brilliant Bursts of Oratory
Marked Borah's Review of
the Evidence and His
Peroration Stirred
the Great Crowd
in Court.

BOISE, IDAHO, July 26.—Evidence and argument are at an end and tomorrow the jury will be left to decide whether William D. Haywood, secretary of the Western Federation of Miners, is guilty of participation in a criminal conspiracy to assassinate former Governor Frank Steunenberg, who was murdered with a bomb at his home in Caldwell on December 30, 1905.

United States Senator William E. Borah, engaged by the State of Idaho as special counsel for the prosecution, spoke the last word to-night. Tomorrow morning Judge Edmund Wood will charge and instruct the jury, which is expected to retire to consider the verdict about 11 o'clock. The crowd seeking admission to the courtroom to-night broke all records in a murder trial in Idaho. Two hundred persons remained in the grounds when the doors were closed after the morning session, and hours before they opened again all approaches were blocked.

When every inch of space within the courtroom was filled, several hundred stood on the lawn near the windows, that they might catch sentences from the impassioned pleading of the young Senator.

Senator Borah laid the foundation for his argument last night. This morning he began an analysis of the evidence, but he confined himself to the murder of Steunenberg and the conspiracy of Mrs. Sarah C. Boswell, Haywood, Orchard to Orchard to Meyer, and Meyer to Pettibone. Then selecting only the evidence of witnesses for the defense, and leaving Orchard's confession out, he wove the lives and movements of the five men together. Without departing from the record, and incidentally clearing up situations left somewhat clouded, he brought these officers and members of the Western Federation of Miners together. Then he took Orchard away from Denver and back to Denver to the headquarters of the Western Federation of Miners.

Adopts Impassioned Appeal.

This was done carefully and almost monotonously, the quiet bearing of the speaker, the calmness of his voice, and the earnestness of his appeal, and his voice quivering, hand upraised, fingers outstretched, he shouted: "Watch them now! Watch the five conspirators! Steunenberg is to die in thirty days, and they are moving on the scene!"

The dramatic utterance and tense figure of the speaker sent a thrill through the courtroom. For the space of ten seconds there was silence, then relaxing, Borah continued with his merciless logic. He brought Davis, Copley, Adams and Eastley, all officers or members of the Western Federation of Miners, into touch with Orchard. Without a pause he drew picture after picture of the men associating together at various points. From each place and from every crime, he brought Orchard back "home to Denver," and then, smiling, he leaned toward the jury to ask: "Why, why always back to Denver, unless it was there to find the protection and the pay of his employers?"

All those things denounced or sneered at by counsel for the defense found a bold and brilliant paragraph of defense in Senator Borah's interludes, and counsel for the defense were driven into the murmur of protest now under the lash of pointed sarcasm, and again when of late years of indignation, reproach, culture and Christianity, law and order, the home and the country, found a ready champion. The State of Idaho, its people and its chief executive, were thus lauded.

Under it all, Haywood was, perhaps, the one man in the courtroom who stood.

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MINISTER FINDS PRODIGAL SON

Young Carswell Was Feeding
Cows at Lambert's Point
for \$30 a Month.

(Special to The Times-Dispatch.)
NORFOLK, VA., July 26.—Rev. J. H. Carswell, of Henric, Va., who arrived here several days ago in search of his son, a prodigal, son, Alex. Carswell, who had not been heard from since July 10th, when he left the boarding-house of Mrs. Garnett, 288 Granby Street, to-day found the boy at Lambert's Point, between Norfolk and the Jamestown Exposition grounds, where he was tending and milking cows.

Mr. Carswell, after having made a cut of the missing boy with a view to further advertising for him, received a telegram from home last night telling him where to find his son. When the father found the boy this morning's young Carswell explained that he had written home and that his address had been had in this way. He said he had written home before, but that in some way the stamp became lost from the letter, which was returned to him for lack of postage.

The parent, finding the boy was getting \$30 per month and his board where he is, and is giving satisfaction, said he could remain.

BORAH CLOSES HAYWOOD CASE WITH POWERFUL ADDRESS



SENATOR WILLIAM E. BORAH.

ACT VOID; MANY WILLS AFFECTED

Judge Grinnan Declares Law Un-
constitutional, and Attorneys
Are Much Puzzled.

MANY SUITS MAY RESULT

Site for New Railroad Y. M. C.
A. Is Involved—Appeal Will
Be Taken.

In the Chancery Court yesterday Judge Grinnan handed down a decree holding unconstitutional the act of the General Assembly wherein the clerk of that court is vested with the power of probating wills. The ruling is the result of a suit filed by W. R. Smith against H. A. McCurdy as executor of the estate of Mrs. Sarah C. Boswell, but it will affect about twenty wills if the Supreme Court sustains the opinion, notice of appeal from which has been entered already. Lawyers are unable to say with legal accuracy what the general effect will be, in the event that the higher court takes the same view as that given by Judge Grinnan. These twenty wills, it is said, cannot have been rightly probated if the act under which they were proved is null and void.

Far-Reaching Decision.

Indeed, the question is of such far-reaching importance that a multiplicity of suits may possibly be entered. Mr. McCurdy had practically wound up the Boswell estate. One lot in particular had been sold by him as trustee to Judson Cunningham and a deed of trust was given. Mr. Cunningham subsequently sold the lot to the trustees of the Railroad Y. M. C. A. fund for a building shortly to be erected. With the ruling, therefore, that the will had not been probated according to law, the question arose yesterday as to whether or not the Y. M. C. A. title is binding.

For a time yesterday it was thought that all work would be delayed, but attorneys for the trustees, who have been going into the suit, declared that they saw no reason to believe the plans would be interrupted or the deed set aside. In an "off-hand" opinion they believed the titles would stand.

Mr. McCurdy, the executor, was appointed receiver of the estate by Judge Grinnan. In that capacity he will be required to collect rents, attend to other financial duties, and report to the court on the first day of the next term, and all parties interested by virtue of their connection with any part of the litigated estate are ordered to surrender to him. In the suit, is a relative of Mrs. Boswell, who did not inherit under the will. That document itself seems to be legal in every way, the only ground upon which it could be contested being the act of the General Assembly conferring upon Clerk Saville the power to probate.

Much Interest in Case.

When the original bill for the plaintiff was filed by Messrs. Beverly T. Crump and Mr. Crump Tucker on July 17th, Judge Grinnan set yesterday as the date for the argument. Before going into the case on its merits an amended bill was filed by Messrs. Crump and Tucker for Smith, in which all purchasers of the Boswell property were made parties. It was in this way that the trustees of the Y. M. C. A. became involved. Lawyers representing various parties and D. C. Richardson, Hill Carter, Thomson & Minor, A. W. Patterson, Leigh R. Page, and John P. Leary. Other lawyers engaged in probate of wills by the clerk were naturally interested when the question of constitutionality was raised, as they were anxious to know what effect it would have on the estates in which they are concerned. Clerk Saville says that he has probated about twenty wills.

DANIEL HERE FOR CONFERENCE TO-DAY

Spent Two Hours With Governor
Swanson at Hotel Last
Night.

WILL NOT MAKE STATEMENT

Hasty Action by Commonwealth
at This Time Would Gain
Nothing.

Senator Daniel arrived in the city last night from Washington, and went immediately to the Richmond Hotel. To a reporter for The Times-Dispatch he said that he had no statement of any kind to make about the railroad rate question or cases; that he had been retained as counsel for the State, and that he was here to see Governor Swanson and have a conference to-day with Attorney-General Anderson and Mr. Braxton.

Held Conference.

Governor Swanson returned to the city last night from the Eastern Shore and Chincoteague Island, having attended a meeting of the Fishing Commission and a pony penning on the island. Soon after reaching the manor, the Governor went to the Richmond Hotel and was in conference with Senator Daniel for two hours. The Governor has declined all along to say anything about the attitude of the Commonwealth in the railroad litigation, and he is still reticent when questioned by reporters.

Senator Daniel will hold a conference here this morning with Attorney-General Anderson and Hon. Allen Caperton Braxton with reference to the policy of the Commonwealth in the railroad passenger rate cases. The first printed announcement in The Times-Dispatch yesterday morning to the effect that Senator Daniel had been retained by the State created general interest and more or less comment, especially in legal and political circles.

Attorney-General Anderson had nothing to say yesterday about the litigation.

No Need for Haste.

It is learned from a gentleman who is in a position to know that there is no necessity for impetuous haste on the part of Virginia in taking a position or action in these cases. It is desired to get the question of jurisdiction to the United States Supreme Court and have it decided there just as soon as possible, but nothing would be gained by making up a case for that court now, inasmuch as it could not be prepared and heard in Washington before October. The Supreme Court will not convene until that month.

It would seem, therefore, that if the members of the Corporation Commission, its clerk and the Attorney-General should violate Judge Pritchard's injunction, go to jail for it and then turn a writ of habeas corpus from the United States Supreme Court to test the validity of Judge Pritchard's decree, the case would have to wait any time until after the first Monday in October.

In view of this statement of facts, it was explained that any contests along any line of battle that may be adopted can as well be made in September as in July.

Norfolk Port of Entry.

NORFOLK, VA., July 26.—Commissioner of Agriculture George W. Kenner, of Virginia, and A. C. Muck, of the Virginia State Board of Immigration, held an extended conference here to-day with railroad, commercial and municipal officials of Norfolk and Portsmouth, the object being to make Norfolk a port of entry for vessels bringing immigrants into this country.

MORE SOUTHERN AGENTS INDICTED BY GRAND JURY

True Bills Against Tick-
et Sellers at Marion
and Old Fort.

GLENN LIKELY TO CALL LEGISLATURE

He Thinks This Will Be Neces-
sary to Deal With Situa-
tion—Talk of Annuling
Charter of Southern
Until It Obeys
the Law.

Each side is waiting for the other in the North Carolina case. It is the Southern's move now, and the next step is anticipated with keenest interest, not altogether free from alarm. It is almost certain now that the Southern will not accept Governor Glenn's propositions or ultimatum, though Southern officials of high degree will arrive in Raleigh this morning, possibly for a conference with the Governor.

Raleigh hears much talk of calling together the Legislature in special session to deal with the situation. This body passed the 2-1-cent rate by a safe majority and the Speaker of the House of Representatives, Mr. E. J. Justice, is one of the leading counsel for the State. No one doubts for a moment that the Legislature will show plainly the iron hand under the velvet glove even to the extent of revoking the charter of the Southern Railway Company for setting at naught the laws of the State.

It is thought that the Governor will give the Southern ample time to reply to his counter propositions and then proceed to execute judgment on the railroad for the \$30,000 fine imposed by Judge Long. If, in the meantime, the Legislature will be convened, in the meantime grand juries all over the State will be indicting ticket agents of the road and the court imposing fines, probably not less severe than that by Judge Long.

COULD ANNUL ROAD'S CHARTER

This is Carolina's Final Move.
Legislature Likely to Hold
an Extra Session.

[Special to The Times-Dispatch.]
RALEIGH, N. C., July 26.—Governor Glenn received to-day from Judge Lyon, who is holding McDowell County Court at Marion, a telegram stating that the grand jury there had returned indictments to-day against the Southern and its agent there, in the case of North Carolina. The grand jury last term there, they say, had not yet taken action on Judge Long's court. The Governor did not give out his telegram to Judge Lyon in reply, but it is understood that he directed the judge to proceed with the case, pledging the support of the executive department of the State.

Every R. B. Peebles, who was here to-day, told the Governor he would direct the grand jury at Morganton next week to return bills against the Southern Railway agents there. The talk in official and private circles here is that the Legislature, if called here by the Governor, could put it up to the railroads to obey the law, pending its adjudication, or have their charters repealed. As the charter of the Wilmington and Weldon of the Atlantic Coast Line could be repealed, and while the State Board of Railroads is still in session, the Western North Carolina to the Southern would prevent the annulment of these railroads could be required to have State licenses, and the Southern could be debarred from the State unless it pledges to observe the State law.

Every day that the calling of the Legislature in extraordinary session should be a very last resort.

GOVERNOR GLENN IS LOOKING UP THE LAW.

The Governor spent several hours in the State Supreme Court law library this morning poring over the books bearing on the litigation and the impending conflict between the State and the Federal authorities involving "States' rights." He said he was just looking for himself into certain matters that might "boil up" in the further prosecution of the struggle. Asked if he applied to the State law books for the shape of a request for a conference.

The Governor is still of the opinion that in the event the resistance on the part of the railroads to the new rate is continued he will be obliged to call the Legislature together to straighten out the situation. The Governor has not said so, but the talk about the city is that the Legislature would probably put it up to the railroads to observe the law until it is declared unconstitutional, or have their charters repealed. This would be a very serious step, and the Governor is not likely to take it unless he is sure of the support of the North Carolina people on terms more advantageous to the State.